

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES  
FEBRUARY 4, 2014**

Town of Andover  
36 Bartlet Street  
2nd Floor Conference Room  
7:45pm

**Conservation Members in Attendance:**

Chairman Donald Cooper, Vice Chairman Michael Walsh, Commissioner Alix Driscoll, Commissioner Jon Honea, Commissioner Phil Sutherland and Commissioner Floyd Greenwood. Staff members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

Chairman Cooper opened the Meeting with by informing the Commission that Al Retelle had passed. He was the first chairman of the Conservation Commission and suggested naming a reservation after him.

Prior to the beginning of the Scheduled Items on the Agenda, three interns from Andover High School gave a presentation of their projects, including the Dam Removal at Balmoral and Stevens Street, the Deer Hunt and tracking the deer population and Land Management at the SunGen site.

**SCHEDULED ITEMS:**

**146 Dascomb Road**

**Present in Interest: Jamie Anderson**

*Staff Recommendation: Approve.*

Public Hearing on a Request for Determination of Applicability filed by Larry Cohen/Restaurant Depot under the Massachusetts Wetlands Protection Act, and/or Andover Wetlands Protection By-Law for the proposed installation of an illuminated monument sign at 146 Dascomb Road.

Mr. Douglas presented this to the Commission. The sign placement will be at the corner of Smith Road and Dascomb Road. The wetlands are across the street, about 80 feet from the proposed sign. The sign will be placed on sona tubes and take one to two days to install.

Chairman Cooper asked for a Motion. Vice Chairman Walsh made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

### **83 Porter Road**

**Present in Interest: Bill MacLeod and Tara Wilson**

*Staff Recommendation: Continue.*

Continued Public Hearing on a Request for an Amended Order of Conditions filed by Tara Wilson and Jason Ardizzone, under the Massachusetts Wetlands Protection Act and/or Andover Wetlands Protection By-Law. The proposed changes include a new dwelling footprint, proposed pool with patio, reconfigured driveway, retaining wall, use of solar panels, revised grading and revised limit of clearing at 83 Porter Road.

Mr. Douglas presented this to the Commission. This was continued from January 7, 2014 for receipt of an overlay of the previously approved plan and proposed plan; determination of setbacks for the solar panels and impact to the wetlands and recommendation from Jeff Bridge. The site is under review with Jeff Bridge.

Mr. MacLeod addressed the Commission and restated that all the setback requirements are met with this new plan and no waivers are needed. The amount of clearing complies with the regulations.

Mr. Douglas advised that there are no specific setback requirements for solar panels. He suggested that crushed stone, gravel or clover be used under the solar panels so that there will not be any mowing necessary.

Chairman Cooper, while disappointed with the additional impervious area of the driveway proposed, finds the project approvable. He suggested a permeable pavement for the driveway and less lot clearing. If the solar panels are taken down in the future, the area should be allowed to naturalize.

Tara Wilson inquired if the haybales could be installed prior to the next meeting. The haybales can be installed under the original Order of Conditions, but not in conjunction with the new filing for the amendment.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to continue to February 18, 2014; it was seconded by Vice Chairman Walsh and unanimously approved.

### **11R Lowell Junction Road**

**Present in Interest: Bill MacLeod and Doug Ahearn**

*Staff Recommendation: Continue.*

Public Hearing on a Notice of Intent filed by Jeffco, Inc., under the Massachusetts Wetlands Protection Act and/or Andover Wetlands Protection By-Law for the proposed addition, demolition of existing garage, construction of paved driveway, lot grading and sewer connection at 11R Lowell Junction Road.

Mr. Douglas presented this to the Commission. The filing is under both the WPA and the By-Law. The project consists of a large addition, double the size of the existing dwelling, driveway and garage. The project is under review with DEP. Staff believes this is a Riverfront property. Mr. MacLeod presented the project to the Commission. An Order of Conditions was issued 8-10 years ago for an addition to the house and the lot was treated as Riverfront. Mr. MacLeod presented that the ponded area does not have riverine characteristics and as such is a pond. All of the proposed work is outside the 100 year flood elevation and complies with the setback requirements.

Chairman Cooper stated that if this is Riverfront property, then all of the proposed work is within the 100 feet. He also suggested a site visit.

If DEP issues comments and states this property is Riverfront, then Mr. MacLeod will file an amendment to the Notice of Intent.

Staff would like to hire a consultant if DEP deems this is Riverfront.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to continue to March 4, 2014; it was seconded by Commissioner Greenwood and unanimously approved. Commissioner Sutherland made a Motion to allow staff to hire a consultant if DEP deems the property within the Riverfront; it was seconded by Vice Chairman Walsh and unanimously approved.

### **3000 Minuteman Road**

**Present in Interest: James Hall, John Young, Shane Carter and Ryan Potter**

*Staff Recommendation: Continue.*

Public Hearing on a Notice of Intent filed by Mount Hope Engineering, Inc., under the Massachusetts Wetlands Protection Act and/or Andover Wetlands Protection By-Law for the proposed construction of a ground mount solar system at 3000 Minuteman Road.

Mr. Douglas presented this to the Commission. The project consists of the construction of a large solar array across from the Merrimack River on the Phillips Property. This is a Natural Heritage area for endangered species, such as the bald eagle and dragonfly. There is a small wetland on the property.

James Hall presented the project to the Commission. There will be 2500 solar panels. Natural Heritage has been notified and they are awaiting a response. There is a small sliver within the outer 100 foot riparian of the Merrimack River. Supports for the panels will be 50 feet from the BVW and an underground conduit will transport the electricity to the building.

Chairman Cooper asked for a Motion. Vice Chairman Walsh made a Motion to continue to March 4, 2104 for DEP and Natural Heritage comments; it was seconded by Commissioner Sutherland and unanimously approved.

## **ACTION ITEMS:**

### **21 River Street**

**Present in Interest: Bill MacLeod and Ken LaRose**

*Staff Recommendation: Approve*

Issue of Order of Conditions.

Vice Chairman Walsh made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

### **165 Haverhill Street**

**Present in Interest: Rick Feldman**

*Staff Recommendation: Approve.*

Issue Order of Conditions.

Vice Chairman Walsh made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

### **5 Courtney Lane**

**Present in Interest: Bill MacLeod**

*Staff Recommendation: Approve.*

Issue Order of Conditions.

Commissioner Sutherland made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

### **16 County Lane**

**Present in Interest: Bill MacLeod**

*Staff Recommendation: Approve.*

Issue Order of Conditions.

Commissioner Honea made a Motion to Approve; it was seconded by Commissioner Driscoll and unanimously approved.

## **CONSENT AGENDA:**

### **Minutes**

Approval of minutes from January 23, 2104.

## **9 Cobblestone Lane**

Issuance of a Certificate of Compliance. **Tabled**

Commissioner Driscoll made a Motion to Approve the Consent Agenda; it was seconded by Commissioner Honea and unanimously approved.

## **LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:**

### **Foster's Pond**

#### **Present in Interest: Steve Cotton**

Approval of routine control of nuisance vegetation in compliance with Order of Conditions. Commissioner Driscoll made a Motion to Approve; it was seconded by Vice Chairman Walsh and unanimously approved.

### **103 Haggett's Pond Road**

Approval of land donation of property at 103 Haggett's Pond Road. Commissioner Driscoll made a Motion to begin the acquisition process; it was seconded by Commissioner Greenwood and unanimously approved.

### **15 Stevens Street**

#### **Present in Interest: Paul Finger**

Request for Insignificant Change. Commissioner Honea made a Motion to find Insignificant; it was seconded by Vice Chairman Walsh and unanimously approved.

**The next meeting will be held February 18, 2014 at 7:45pm.**

**The meeting was adjourned at 9:30pm by Motion of Commissioner Sutherland and seconded by Commissioner Driscoll and unanimously approved.**

**Respectfully submitted by,**

**Lynn Viselli,  
Recording Secretary**